



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	HARTLEY et al.	Examiner:	Unassigned
Serial No.:	10/798,794	Group Art Unit:	3762
Filed:	March 11, 2004	Docket No.:	GUID.128PA (03-079)
Title:	RATE REGULARIZATION OF CARDIAC PACING FOR DISORDERED BREATHING THERAPY		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to:, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on Feb 11, 2005.

By:

Kelly S. Waltigney
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Forms 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted either within three months of the filing date or before the first Office Action of the above-identified application. Accordingly, no fee is due for consideration of the items listed on the enclosed Forms 1449.

In accordance with 37 C.F.R. §1.98(a)(2), and the 05 August 2003 Official Gazette Notice, only a copy of each foreign document or non-U.S. patent/application listed on the enclosed Forms 1449 is provided.

Please note that any notations or markings on the attached documents do not reflect particular relevance, or lack thereof, to the present application, nor were they necessarily made by anyone affiliated with the prosecution of the present application.


No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Forms 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

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Dated: 2/4, 2005

By: 
Clara Davis
Reg. No. 50,495

FORM 1449 P INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: GUID.128PA (03-079)	Application Number: 10/798,794
	Applicant: Hartley <i>et al.</i>	
	Filing Date: March 11, 2004	Group Art Unit: 3762

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,365,636	12/28/1982	Barker			
	4,813,427	3/21/1989	Schlaefke <i>et al.</i>			
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	4,830,008	5/16/1989	Meer			
	5,105,354	4/14/1992	Nishimura			
	5,123,425	6/23/1992	Shannon, Jr. <i>et al.</i>			
	5,146,918	9/15/1992	Kallok <i>et al.</i>			
	5,178,156	1/12/1993	Takishima <i>et al.</i>			
	5,187,657	2/16/1993	Forbes			
	5,211,173	5/18/1993	Kallok <i>et al.</i>			
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	5,335,657	8/9/1994	Terry, Jr. <i>et al.</i>			
	5,483,969	1/16/1996	Testerman <i>et al.</i>			
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	6,099,479	8/8/2000	Christopherson <i>et al.</i>			
	6,128,534	10/3/2000	Park <i>et al.</i>			

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

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	6,272,377	8/7/2001	Sweeney et al.			
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	2004/0088027	5/6/2004	Burnes et al.			
	2004/0138719	7/15/2004	Cho et al.			

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FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
	EP 0 940 155 A	8/9/1999	EPO			
	EP 1 151 718 A	7/11/2001	EPO			
	WO 00/01438 A	13/01/2000	WIPO			
	WO 00/17615	30/03/2000	WIPO			
(√ attached) (OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.))						
		Balaban et al., <i>Feasibility of Screening for Sleep Apnea Using Pacemaker Impedance Sensor</i> , NASPE (2001).				
	√	Bradley et al., Pathophysiologic and Therapeutic Implications of Sleep Apnea in Congestive Heart Failure, 3 J. Cardiac Failure 223-240 (1996). Abstract only.				
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		Garrigue et al., Night Atrial Overdrive with DDD Pacing Results in a Significant Reduction of Sleep Apnea Episodes and QOL Improvement in Heart Failure Patients, NASPE (2001).				
	√	Garrigue et al., Benefit of Atrial Pacing in Sleep Apnea Syndrome, 346 N. Engl. J. Med. 404-412 (2002). Abstract only.				
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	√	Javaheri et al., Sleep Apnea in 81 Ambulatory Male Patients with Stable Heart Failure: Types and Their Prevalences, Consequences, and Presentations, 97 Circulation 2154-2159 (1998).				
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	√	Roche et al., Screening of Obstructive Sleep Apnea Syndrome by Heart Rate Variability Analysis, 100 Circulation 1411-1455 (1999).				
	√	Shahrokh, A Mechanism of Central Sleep Apnea In Patients With Heart Failure, 341 N. Engl. J. Med. 949-954 (1999). Abstract only.				
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	√	Waldemark et al., Detection of Apnea using Short Window FFT Technique and Artificial Neural Network, 3390 SPIE International Society for Optical Engineering 122-133 (1998).				
	√	Young et al., The Occurrence of Sleep-Disordered Breathing Among Middle Aged Adults, N. Engl. J. Med. 1230-1235 (1993). Abstract only.				

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